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10 *Attorneys for Plaintiffs*

11 **UNITED STATES DISTRICT COURT**

12 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

13
14 IN RE: UBER TECHNOLOGIES, INC.
PASSENGER SEXUAL ASSAULT
15 LITIGATION

MDL No. 3084 CRB
SHORT FORM COMPLAINT

16 This Document Relates to:

JURY TRIAL DEMANDED

17 L.E. v. UBER TECHNOLOGIES, INC., a
18 Delaware Corporation; RASIER, LLC, a
19 Delaware Limited Liability Company; et al

20 Case No.: 3:23-cv-5567

21 **SHORT-FORM COMPLAINT AND DEMAND FOR JURY TRIAL**

22 The Plaintiff named below files this *Short-Form Complaint and Demand for Jury Trial against*
23 *Defendants* named below by and through the undersigned counsel. Plaintiff incorporates by reference the
24 allegations contained in *Plaintiffs' Master Long-Form Complaint* in *In Re: Uber Technologies, Inc.,*
25 *Passenger Sexual Assault Litigation*, MDL No. 3084 in the United States District Court for the Northern
26 District of California. Plaintiff files this *Short-Form Complaint* as permitted by Case Management Order
27 No. 11 of this Court.

28 Plaintiff selects and indicates by checking-off where requested, the Parties and Causes of Actions

1 specific to this case.

2 Plaintiff, by and through their undersigned counsel, allege as follows:

3 **I. DESIGNATED FORUM¹**

4 1. Identify the Federal District Court in which the Plaintiff would have filed in the absence of
5 direct filing:

6 U.S. District Court, Northern District of California

7 ("Transferee District Court").

8 **II. IDENTIFICATION OF PARTIES**

9 **A. PLAINTIFF**

10 1. Injured Plaintiff: Name of the individual who alleges they were sexually assaulted, battered,
11 harassed, or otherwise attacked by an Uber driver with whom they were paired while using
12 the Uber platform:

13 L.E.

14 ("Plaintiff").

15 2. At the time of the filing of this Short-Form Complaint, Plaintiff resides at:

16 New York, New York County, New York

17 3. (If applicable) _____ [INSERT NAME OF REPRESENTATIVE] is filing
18 this case in a representative capacity as the [INSERT DESCRIPTOR I.E.
19 ADMINISTRATOR ETC.] of the [INSERT DESCRIPTOR I.E. ESTATE OF NAME,
20 ETC.], and has authority to act in this representative capacity because [INSERT BASIS FOR
21 AUTHORITY].

22 **B. DEFENDANT(S)**

23 1. Plaintiff names the following Defendants in this action.

24 **[BEFORE PROCEEDING - PLEASE CAREFULLY READ AND CONSIDER THE PLACES OF**
25 **INCORPORATION AND PRINCIPAL PLACE OF BUSINESS OR RESIDENCE OF EACH**
26 **DEFENDANT BEFORE SELECTING TO ENSURE THAT YOU ARE NOT NAMING ANY**
27 **DEFENDANTS FROM THE SAME STATE AS THE PLAINTIFF. THE PLACE OF**

28 ¹ See Pretrial Order No. 6, at II(C) (ECF No. 177).

1 **INCORPORATION, PRINCIPAL PLACE OF BUSINESS OR RESIDENCE OF EACH
2 DEFENDANT IS IN THE FOOTNOTES FOR YOUR CONVENIENCE]:**

3 UBER TECHNOLOGIES, INC.;²

4 RASIER, LLC;³

5 RASIER-CA, LLC.⁴

6 OTHER (specify): _____ . This defendant's
7 residence is in (specify state): _____ .

8 **C. RIDE INFORMATION**

- 9 1. The Plaintiff was sexually assaulted, harassed, battered, or otherwise attacked by an Uber
10 driver in connection with a ride facilitated on the Uber platform in New York County and
11 Queens County, New York on August 23, 2023.
- 12 2. The Plaintiff was not the account holder of the Uber account used to request the relevant ride.
- 13 3. The Plaintiff provides the following additional information about the ride:

14 **[PLEASE SELECT/COMPLETE ONE]**

15 The Plaintiff hereby incorporates Plaintiff's disclosure of ride information
16 produced pursuant to Pretrial Order No. 5 ¶ 4 on February 15, 2024 or to be
17 produced in compliance with deadlines set forth in Pretrial Order No. 5 ¶ 4,
18 and any amendments or supplements thereto.

19 The origin of the relevant ride was [STREET ADDRESS, CITY,
20 COUNTY, STATE]. The requested destination of the relevant ride was
21 [STREET ADDRESS, CITY, COUNTY, STATE]. The driver was named
22 [DRIVER NAME].

23
24
25
26 ² Delaware corporation with a principal place of business in California.
27 ³ A limited liability company whose sole member, Uber Technologies, Inc., is a citizen of Delaware and
28 California.
29 ⁴ A limited liability company whose sole member, Uber Technologies, Inc., is a citizen of Delaware and
30 California.

1 **III. CAUSES OF ACTION ASSERTED**

2 1. The Causes of Action asserted in the *Plaintiffs' Master Long-Form Complaint*, and the
 3 allegations with regard thereto in the *Plaintiffs' Master Long-Form Complaint*, are adopted
 4 in this *Short-Form Complaint* by reference, except that Plaintiff opts out of and excludes the
 5 causes of action below:

6 Check any 7 EXCLUDED 8 causes of action	9 Cause of Action Number	10 Cause of Action
11 <input type="checkbox"/>	1 I	NEGLIGENCE (including Negligent Hiring, Retention, Supervision, 12 and Entrustment)
13 <input type="checkbox"/>	II	FRAUD AND MISREPRESENTATION
14 <input type="checkbox"/>	III	NEGLIGENT INFILCTION OF EMOTIONAL DISTRESS
15 <u>X</u>	IV	COMMON CARRIER'S NON-DELEGABLE DUTY TO PROVIDE 16 SAFE TRANSPORTATION ⁵
17 <u>X</u>	V	OTHER NON-DELEGABLE DUTY TO PROVIDE SAFE 18 TRANSPORTATION ⁶
19 <input type="checkbox"/>	VI	VICARIOUS LIABILITY FOR DRIVERS' TORTS – EMPLOYEE
20 <input type="checkbox"/>	VII	VICARIOUS LIABILITY FOR DRIVERS' TORTS – APPARENT 21 AGENCY
22 <input type="checkbox"/>	VIII	VICARIOUS LIABILITY FOR DRIVERS' TORTS – RATIFICATION
23 <input type="checkbox"/>	IX	VICARIOUS LIABILITY FOR DRIVERS' TORTS – Cal. Public 24 Utilities Code § 535
25 <input type="checkbox"/>	X	STRICT PRODUCT LIABILITY – DESIGN DEFECT
26 <input type="checkbox"/>	XI	STRICT PRODUCT LIABILITY – FAILURE TO WARN
27 <input type="checkbox"/>	XII	STRICT PRODUCT LIABILITY – PRODUCT LIABILITY ACTS
28 <input type="checkbox"/>	XIII	UNFAIR COMPETITION – Cal. Bus. & Prof. Code § 17200 et seq.

⁵ This claim is pleaded in the *Plaintiffs' Master Long-Form Complaint* under the laws of every state **except: Arizona, Colorado, District of Columbia, Illinois** (for incidents prior to August 11, 2023), **Michigan, Montana** (for incidents prior to April 23, 2023), **New York, Pennsylvania, Wisconsin, and Wyoming**.

⁶ This claim is pleaded in the *Plaintiffs' Master Long-Form Complaint* under the laws of every state **except: District of Columbia, Michigan, New York, Pennsylvania**.

1 **IV. ADDITIONAL CAUSES OF ACTION AND/OR ALLEGATIONS**

2 **NOTE**

3 If Plaintiff wants to allege additional Cause(s) of Action other those selected in paragraph __, the
4 specific facts supporting any such additional Cause(s) of Action, must be pled in a manner
5 complying with the requirements of the Federal Rules of Civil Procedure (*see* paragraph __). In
6 doing so you may attach additional pages to this *Short-Form Complaint*.

- 7 1. Plaintiff asserts the following additional theories against the Defendants designated in
8 paragraph __ above:

9 N/A

- 10 2. If Plaintiff has additional factual allegations not set forth in Plaintiffs' Master Long-Form
11 Complaint, they may be set forth below or in additional pages:

12 N/A

13 **WHEREFORE**, Plaintiff prays for relief and judgment against Defendants for economic and non-
14 economic compensatory and punitive and exemplary damages, together with interest, costs of suit,
15 attorneys' fees, and all such other relief as the Court deems proper, and such further relief as the Court
16 deems equitable and just, and as set forth in Plaintiffs' Master Long-Form Complaint.

17 **JURY DEMAND**

18 Plaintiff hereby demands a trial by jury as to all claims in this action.

19
20 DATED: April 10, 2024

Respectfully submitted,

21
22 *s/ Tracey B. Cowan*
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Attorneys for Plaintiffs